

"SPECIAL PROCEDURES SUBMISSION" RECEIVED

DEC 17 2004

Applicant: Wellinghoff, et al. § Group Art Unit: 1623 OFFICE OF PETITIONS

Serial No.: 10/056,121 § Examiner: Paul J. Killos

Filed: 01/23/2002 § Atty. Docket No.: SWRI-2835-04

Title: Novel Mesogens

**REQUEST FOR ENTRY OF AMENDMENTS
UNDER 37 C.F.R. 1.312**

MAIL STOP 313(c)
Commissioner of Patents
PO BOX 1450
Alexandria, VA 22313-1450

Applicant gratefully acknowledges the second notice of allowance in this case and requests entry of the attached amendment after notice of allowance under 37 C.F.R. 1.312 for the following reasons:

- a) The amendments are needed because they narrow a certain aspect of the claims in light of references submitted in the previous RCE;
- b) Because the amendments are narrowing amendments, they do not require additional search or examination;
- c) The claims are narrower than the claims previously allowed, and are patentable for the reasons underlying the previous notice of allowance;
- d) The claims were not presented earlier for the following reasons:
Applicant previously filed a request for continued examination in order to submit items of information cited in a communication from a foreign patent office. Applicant expected to receive a rejection of the broadest claims in the application over the items submitted, and expected an opportunity to amend the claims. However, a subsequent

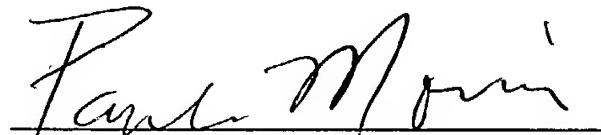
notice of allowance of all of the claims issued immediately. Applicant did not believe that sufficient time remained to file a Second Petition to Withdraw from Issue. However, Applicant has learned that the application does not yet have a projected issue date. Applicant respectfully requests that the application be withdrawn from issue and that the amendments submitted herewith be entered and the new claims allowed.

The requested amendments to the claims begin on page 3 of this document.

When Applicant learned that the application did not yet have a projected issue date, Applicant filed this paper immediately in order to ensure entry before issuance. **Applicant respectfully requests that issuance of any notice of allowance be delayed until Applicant files an additional Supplemental IDS. Applicant does not currently have possession of every reference to be submitted, but has ordered the references. If the examiner is ready to allow the case, and no Supplemental IDS has been filed, Applicant respectfully requests that the examiner telephone the undersigned to verify the status of the Supplemental IDS.**

The commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. **50-0997 (SWRI-2835-04)**, maintained by Paula D. Morris & Associates, P.C..

Respectfully submitted,



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